

## YOU MAY NOT FISH

Unless You Stand in With the Powers that Be

## SUPREME COURT DECISIONS

Britton's Case Against the Street Railway Company Reversed—News from the Two Peninsulas

LANSING, Feb. 5.—The deputy game warden of Livingston county, at Britton, requested the attorney general to place a definition and construction upon the term "set lines or night lines" in act 150 of the laws of 1891, and that officer having in view the fact that Major Winans, the governor's private secretary, together with several other farmers of Livingston, were under arrest for fishing through the ice with their lines "set" so that they could be left long enough for a game of pedro at least, holds that "set lines" and "night lines" are synonymous terms, and that they mean one long line used to extend across a river or the point of a bay or lake, to which are attached a number of short lines with hooks attached, and that it does not mean the sucking one end of a pole in the mud (or ice), or attaching a line to a cob. Under this construction and the relations existing between the game warden and the executive family it will be difficult to secure a verdict of guilty from a jury of the peers of these agriculturists who are temporarily under a cloud in Livingston county, and the seal of the deputy game warden in making the arrests will not be enthusiastically appreciated.

## REVERSED THE DECISION.

Mr. Britton's Case Against the Street Railway Company Sent Back.

LANSING, Feb. 5.—The supreme court at Lansing handed down a large number of decisions today, among which is the case of Patrick J. Britton vs. Street Railway company of Grand Rapids. It will be remembered that Mr. Britton was injured in the fall of 1887 on the South Division street line by being thrown from a car while a passenger thereon. The car stopped at a crossing to allow passengers to alight, and before Mr. Britton, who was in the act of stepping from the lower step of the rear platform to the pavement, had reached the ground, the driver of the car whipped up his horses and the sudden and violent jerk thus given to the car threw Mr. Britton to the ground and dislocated his shoulder and otherwise seriously injured him externally and internally, so that he has since been nearly, if not entirely, incapacitated from manual labor. Mr. Britton, unable to obtain a settlement with the company, brought suit for damages in the circuit court, and after a trial of nearly two days the jury brought in a verdict in favor of the railway company of no cause of action, but Mr. Britton carried the case to the supreme court, which has decided in his favor, reversing the judgment of the circuit court, and sending the case back for a new trial with costs to Mr. Britton to be paid him by the street car company.

The supreme court today in its opinion in *Becho*, administrator vs. the city of Detroit, holds that the right of action for personal injuries from defective highways does not die with the party whose death occurs by reason of the injury, but that it survives to his wife or next of kin. The reverse was held by the court below, but the judgment is overruled, and a new trial ordered.

In the opinion in *Ladd vs. Flynn* it is held that injunction cannot issue for removal of an offensively high board fence, between dwellings as a line partition upon a preliminary hearing. In the case of *Nichols vs. Chicago & West Michigan railway company*, the judgment of the court below, the plaintiff bought a ticket at Newaygo for Otis station, that he was asleep when the train stopped at Otis and without saying anything to the conductor or train hands and without more fare undertook to get off further on at West Troy junction a practically unused station; that he jumped off the train and owing to the bad condition of the platform he fell back under the train and had his arm and leg crushed. The court holds there was no negligence, nor could there be none under the circumstances and no liability on the part of the road.

## SUPREME COURT CALENDAR.

Numerous Opinions Filed in the Court of Last Resort.

LANSING, Mich., Feb. 5.—Opinions filed: *Admiral—Sabin vs. Senate of the National Union*; *Face vs. City of Iowa*; *Shuler vs. Eckert*; *Daniel vs. Weeks*; *Crawford vs. Gensin*; *Clark vs. Woodruff*; *Lobdell vs. Shawson*; *Malory vs. Ohio Farmers' Insurance company*; *Hanselman vs. Doyle*; *Colles vs. Swensburg*; *Minnock vs. Eureka Fire & Marine Insurance company*; *Village of Essexville vs. Emery*; *Cook vs. First National Bank of Menominee*; *Winter vs. Winter*; *Nichols vs. Chicago & West Michigan Railway company*; *Miller vs. Chicago & Grand Trunk Railway company*; *Verkes vs. Norris*; *Crow vs. Conant*; *Steere vs. Vanderberg*; *Read vs. Howard*; *Britton vs. Street Railway company of Grand Rapids*; *Racho vs. City of Detroit*; *Dwelling House Insurance company vs. Johnson*; *Smith vs. Smith*; *Albia vs. Voigt*; *Clank vs. Gunn*; *Hutchinson vs. Whitmore*; *Ladd vs. Flynn*; *Hubbard vs. Preston*; *Carpenter vs. Meyers*; *Horrigan vs. Wyman*; *Harrow Spring Company vs. Whipple Harrow Company*; *Wood vs. Michigan Air Line Railway company*; *Miller vs. Sealey*; *Hemingway vs. Burham*.

In *Joelin vs. Goebel*, decree increased to \$4,020.86.

Cases heard: 90—*Dudley O. Watson vs. David W. Boyes, et al.*

90—*John Grimes vs. Michael H. Bowerman*.

No. 26, 134, 155, 168, 169, 170 and 219 were by stipulation submitted on briefs.

The call for Tuesday, February 9, is the state cases 205, 223, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238.

DRUMMERS IN SESSION.

They Discuss Railway Matters Informally.

Mr. FLECK, Mich., Feb. 5.—A number of traveling men, who met casually in the dining room of the Bennett house at this place, discussed with every evidence of deep regret the reported sale of the L. S. & M. S. company. There were fourteen in the party, which included some of the best known and most influential members of the tourist profession in this state. The headliner was a distinguished and experienced traveler, and the discussion was of a high order.

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in most unmistakable terms, they denounced the reported deal as prejudicial to their interests and to the interests of the public as a whole. There were individual expressions of kindly appreciation for the uniform fairness, courtesy and liberality accorded them by the management of the D. L. & N. and C. & W. M., and pointed expressions of disgust at the course opposed to all sense of square dealing pursued by the L. S. & M. S.—a course which all agreed was just the reverse of that characterizing the operation of lines which are now said to have been absorbed. The consensus of opinion was that for "red tape," exasperating annoyances and general public-be-damned style, the L. S. & M. S. takes precedence of all other roads in America.

## HONORED A COMRADE.

Capt. H. S. Weeks, U. S. A. G. M. R. Memorial Resolutions.

ALLEGAN, Feb. 5.—Whereas, Our esteemed comrade, Captain Harrison S. Weeks, a retired officer of the United States army, who had spent twenty-five years of his life in the service of his country, died, at his home in this village, January 21, honored and respected by all who knew him, both as a soldier and a citizen, therefore, be it

Resolved, that C. J. Base it Post, No. 56, V. L. A. E., department of Michigan, has heard with profound sorrow of the death of our comrade, H. S. Weeks, and express our deep sympathy with the widow and orphans of that gallant soldier in the great bereavement which has befallen them in the death of a kind husband and loving father.

Resolved, that a copy of these resolutions be furnished to the Army and Navy Journal, the National Tribune, and the press of Allegan county for publication.

Resolved, that a copy of these resolutions be inscribed upon the minutes of this post, and an engrossed copy of the same be transmitted to the family of our deceased comrade.

## SCHOOL LAW POINTS.

School Privileges Refused to a Child by Adoption.

EMMETT, Mich., Feb. 5.—School district No. 7, of Emmett township, has a lawsuit on its hands. The action is a mandamus proceeding to compel the director to admit to the privileges of the school without tuition a legally adopted child from another district. His refusal dates back to a time prior to the execution of the adoption papers, and he persists in it on the assumed right of a school board to dictate a term of actual residence in its jurisdiction before school rights may be exercised. The case will be one of general interest, as it involves a point of wide concern to public schools made the prey of scholastic sharpers under various pretexts.

## Criminally Careless.

IRONWOOD, Mich., Feb. 5.—Mrs. John Hughes has begun suit for \$10,000 against the owners of the North Park mine, where her husband was killed by the recent disastrous boiler explosion. The company has offered her \$1,000, but she refused to accept that amount. Mrs. Hughes alleges gross carelessness on the part of the company, though the coroner exonerated them from all blame. It seems that the boiler was a very old one, having previously been in use on several tugs.

## Mining Dividend Declared.

IRONWOOD, Mich., Feb. 5.—The Norrie mine at this city, whose output of 900,000 tons of iron ore in 1891 was the largest ever taken from any iron mine in the world in the same time, has just declared a dividend of \$5 a share. This is in addition to the regular quarterly dividend of 25 cents. The output this season will reach 1,000,000 tons.

## Newberry's Furnace.

NEWBERRY, Feb. 5.—The Newberry furnace still continues to do good work. The output will average fully 65 tons per day. It is considered the best paying plant of the kind in the state at the present day. The efficient management of C. W. Case has a good deal to do with its success.

## Paper Mill Burned.

BATTLE CREEK, Feb. 5.—The Morgan paper mills, owned by the American Straw Board company, and situated just east of the city limits, burned last night. The mills are a total loss, and the damage inflicted is about \$50,000; fully insured.

## Burglars' Good Haul.

PORT HURON, Mich., Feb. 5.—Thieves broke into the jewelry store of R. Kilgour, at Fargo, near here, and carried off about \$1000 worth of watches and jewelry. They also broke into the postoffice, blew open the safe and took about \$100 worth of stamps.

## Hewitt Accepts.

LANSING, Feb. 5.—Professor W. C. Hewitt, of Three Rivers, telegraphed his acceptance of the appointment to have charge of Michigan's educational exhibition at the World's Fair.

## Late Michigan Pensions.

Original—Peter Herron, Milo McCune, Willis McKeay, David Minton, James Carr, James H. Strong, Peter L. Ryker, Donald Wilson, James M. Tate, John W. Van Syckle, Charles R. Nichols, John W. Shippey, Simon O. Manley, Allison M. Munn, George McNinch, George D. Estes, Henry T. Mitchell, William H. Lowry, George H. Bigelow, Freeman H. Berce, George Wiseman, Chauncey Smith, George Moore, Christopher Miller, Lester C. Hildreth, Samuel Hewitt, Albert Peshierky, Jeremiah Crowley, Stephen Haseley, Horace Jones, Jay B. Millard, Lorenzo T. Clark, Robert Thayer, John Grieves, Charles H. Gaskill, Henry L. Carpenter, Edgar A. Blackman, Samuel Church, John Paelean, George W. Abbott, Addition—John M. Strayer, Increase—Stephen Olds, Edward Hans, George Pauldo, Original, widows, etc.—Mary A. Tuttle, Orra Louisa, Maggie Hunkley, Eliza Wallace, minor of Morgan Morse, Julia A. Bliss, Mary M. Elliott, Mary J. Ward, Eliza Neal, Mary C. Fitzgerald, Rachael Armstrong, minor of Samuel Drury.

## GENERAL STATE NEWS.

Justice Harris of Kalamazoo, nearly forgot the marriage formula in his solemnization yesterday when Stephen P. Marsh, a wealthy Waukegan farmer aged seventy, and Ida Marsh, with half as many years to her credit, asked him to tie the marital knot. He was still more astonished when he learned that the woman was the divorced wife of Marsh's son but he finally managed to regain enough breath to perform the seventy-five cent job.

The J. C. Morgan paper mill at Battle Creek burned to the ground Thursday evening. The buildings were located on the outside of the city. The headliner was a distinguished and experienced traveler, and the discussion was of a high order.

considerable extent. In the mill was manufactured strawboard and coarse paper. The loss will be in the neighborhood of \$30,000, with a partial insurance.

The store of E. Kilgour of Fargo, twelve miles north of Port Huron, was broken into by thieves some time during Thursday night and nearly \$1000 worth of watches and jewelry carried off. The same gang broke into the postoffice and took \$100 worth of stamps from the safe which was blown open.

Kalamazoo supervisors have met in special session and authorized the county treasurer to borrow \$10,000 to defray the current expenses of the county for the ensuing year. Kalamazoo's supervisors are not well up in arithmetic or else this step would not have been made.

William H. Walker, for the past sixty years a resident of Grass Lake and one of the most prominent business men, died Thursday, aged sixty-eight years. He was a zealous member of the Methodist church, a Royal Arch Mason and was held in the highest esteem.

The Norrie iron mines at Ironwood, whose output of 900,000 tons of ore last year was the largest ever taken from any iron mine in the world, has declared a dividend of \$5 a share. It is estimated this season's output will reach 1,000,000 tons.

Nearly every county in the newly stretched Eleventh congressional district has a candidate for congress, and Gratiot, Mecosta, and Isabella counties will present two names each in the republican convention.

A smooth book agent who recently progressed through Tuscola county, sold so many books that it made his employer's head swim. He did it by promising to board a week with each subscriber.

Herbert E. Johnson of Lansing, has a big gold watch that has been in the family 150 years and that will keep time as good as a Waterbury any day in the week.

Secretary of State Blacker and Mayor Wheeler are at the head of a Manistee delegation that is in Washington to urge an adequate appropriation for the Manistee harbor.

John F. Ryan, cashier of the People's Saving bank at Mt. Pleasant, and other capitalists of this county, will start a bank at Shepard with Elmer Strable as cashier.

The two able and well known Jesuit fathers, Van der Erden and Basche, will begin a mission in the Catholic church at St. Johns on Sunday, February 14.

Charles Miller tried to catch a freight train at Thompsonville Wednesday night, and in the attempt was thrown beneath the cars and had an arm cut off.

H. R. Pattengill of Lansing, is gaining a fine reputation as a lecturer and is booked for thirteen lectures and four teachers' associations for February.

The business men of Hillsdale and surrounding towns are organizing a county branch of the Rochester Retail Merchants' Protective association.

Frank Morency has been appointed keeper of the Grande Pointe Au Sabie life saving station, and George Morency of the station at Frankfort.

Farmer C. L. Hatch of Elmira, was loading hogs when the binding pole slipped and sprang a long hook completely through his hand.

Lake county's circuit court will convene February 23, and has but three criminal cases—all liquor law violations—upon the calendar.

The United Workmen have fixed the per capita tax at seventy cents and reduced the age limit to 45. Next meeting at Battle Creek.

The Kalamazoo council is tied on the question of whether to spend public money on a fountain in a Catholic school yard.

Henry Patterson of Bushnell, who sent a circular to twenty mayors asking for a wife, has had twenty proposals.

Horace Cuthbert of Bay City, fell fifty feet from the roof of a mill and barely escaped death.

A railroad is talked of to run east from Kalamazoo, so as to lap the hard-wood country.

The Michigan salt exhibit at the World's Fair will cover 1500 square feet.

Joseph Tobean of Sault Ste. Marie is in trouble for smuggling scrap iron.

Carrollton's public schools are closed on account of diphtheria.

Lansing citizens lost 104 chickens in one night.

Henry Miller of Ionia went skating and nothing has been seen of him since.

Not His Kind.

A German one day expressed himself as being somewhat offended because an American gentleman had asserted that his Teutonic countrymen could not as a rule appreciate American jokes.

"Try one on me," said he defiantly, and the American accordingly told him the story of the tree "out west" which was so high that it took two men to see to the top. One of them saw as far as he could, and then the second began to look at the spot where the first stopped seeing.

The recital did not raise the ghost of a smile upon the German's face, and the other said to him:

"Well, you see the joke is lost on you. You can't appreciate American humor."

"Oh, but," said the German, "that's not humor. That's von lie!"—Youth's Companion.

Clam chowder at Anderson's tonight.

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## INVAILIDS ATTENTION

GRAND RAPIDS.

FEBRUARY 13 and 14.

## THE DOCTORS A. F. &amp; S.

Of the Forest City Medical Dispensary.

Whose wonderful cures of Nervous and Chronic Diseases have delighted their patients and astonished the medical fraternity, will be at the

## MORTON HOUSE, GRAND RAPIDS,

—ON—

Saturday and Sunday, February 13 and 14.

Where they will be pleased to meet their present and former patients, and such others of the afflicted as are in need of medical treatment.

## THE DOCTORS A. F. &amp; S.

Will be pleased to see you at their rooms. To them you can frankly and fully state your trouble, relying implicitly upon their sympathy and discretion.

## It Will Cost You Nothing for Consultation.

And if you are not convinced of their skill, or favorably impressed by their manner, you are under no obligation to take their advice.

## TRAIN TIME TABLES.

## FLORIDA AND THE SOUTH

BEST REACHED BY THE

OLD RELIABLE

L &amp; N

LOUISVILLE &amp; NASHVILLE R. R.

DOUBLE DAILY

Trains with Pullman Buffet Sleeping Car Service from

CINCINNATI

to

Nashville, Memphis,

Birmingham, Montgomery,

Pensacola, Mobile,

New Orleans, Thomasville,

Jacksonville and Tampa.

THIS LINE IS UNRIVALED IN SPEED, CONSTRUCTION AND EQUIPMENT.

Information as to Rates, Time, etc., cheerfully furnished by

C. L. SPRAGUE, T. P. A., DETROIT, MICH.

G. F. B. MORSE, G. P. A., CINCINNATI, O.

C. P. AYMORE, G. P. A., LOUISVILLE, KY.

To the MARDI GRAS

AT NEW ORLEANS, LA.

MARCH 1ST, 1892.

Tickets on Sale

AT REDUCED RATES

February 26th, 27th, 28th &amp; 29th.

Good for return until March 15th.

## CHICAGO

JAN. 3, 1892

AND WEST MICHIGAN R.V.

GOING TO CHICAGO.

Lv. GRD RAPIDS 9:00 am 12:00 pm 11:55 pm

Ar. CHICAGO 3:55 pm 5:35 pm 7:00 am

RETURNING FROM CHICAGO.

Lv. CHICAGO 9:00 am 12:00 pm 11:55 pm

Ar. GRD RAPIDS 3:55 pm 5:35 pm 7:00 am

TO AND FROM KANSAS CITY, ST. JOSEPH AND INDIANAPOLIS.

Lv. Grand Rapids 9:00 am 12:00 pm 11:55 pm

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## GRAND RAPIDS &amp; INDIANA RAILROAD

Schedule in effect January 13, 1892.

TRAIN GOING NORTH.

Ar. from Lv. going

For Saginaw and Cadillac 11:15 am 7:00 am

For Traverse City and Mackinaw 12:00 pm 11:30 am

For Saginaw and Traverse City 1:00 pm 11:30 am

For Petoskey and Mackinaw 2:00 pm 10:30 am

From Kalamazoo and Chicago 3:00 pm 9:55 am

Train arriving at 6:00 a. m. daily; other trains daily except Sunday.

TRAIN GOING SOUTH.

Ar. from Lv. going

For Kalamazoo &amp; Chicago 6:20 am 12:30 am

For Port Wayne and the North 11:30 am 12:30 am

For Chicago 12:00 pm 11:05 am

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